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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LATEACHEEAH G. ANDERSON SALVATTO,)	Case No. CIV.S 04- 0163 WBS GGH
and RICHARD SALVATTO, individually and as)	
Guardians for JAMAL THROWER, a minor,)	
Plaintiffs,)	DECLARATION OF LATEACHEEAH
vs.)	SALVATTO IN SUPPORT OF MOTION
COUNTY OF SOLANO, CITY OF VALLEJO,)	TO CONTINUE MOTION FOR
COUNTY OF SOLANO SHERIFF'S)	SUMMARY JUDGMENT
DEPARTMENT, LIEUTENANT LIDDICOET,)	
OFFICER K. McCARTHY, VALLEJO POLICE)	
DEPARTMENT, WATCH COMMANDER K.)	
SCHROEDER, CORPORAL B. CLARK,)	
OFFICER WHITNEY,)	
Defendants.)	

I, LaTeacheeah Salvatto, declare:

1. I am the plaintiff in the above entitled action and, if called as a witness in this case, I can and will testify competently to the matters contained in this declaration based upon my personal knowledge.

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DECLARATION OF LATEACHEEAH IN SUPPORT OF MOTION TO CONTINUE MOTION FOR
SUMMARY JUDGMENT

1 2. In January 2003, I retained attorney Donald Beury to represent me in this civil
2 action after he represented me in a criminal case that is the basis of this civil action. To my
3 knowledge, Mr. Beury never conducted any discovery in my civil case, although I constantly
4 asked him to do so and discussed with him various issues that needed to be discovered. On
5 January 14, 2005, Mr. Beury wrote me and informed me that in his opinion, he thought that I had
6 a great case. He requested money from me to pay for depositions. I continued to press him to
7 conduct discovery, and he led me to believe that while the depositions had not yet been taken,
8 that other forms of discovery were being conducted.

10 3. On August 30, 2005, I continued to press Mr. Beury on taking the depositions of
11 the defendants. Mr. Beury stopped communicating with me. On September 15, 2005, I
12 contacted Mr. Beury and paid him \$2,500 as costs for the depositions to be taken. I had also
13 pressed him to perform the other aspects of discovery that we had discussed. I did not know at
14 that time that discovery had been closed since August 8, 2005.

16 4. I met with attorney Jeffrey Fletcher on October 13, 2005, to discuss my case. I
17 wanted Mr. Beury off my case because I believed that he was going to cause the case to be
18 dismissed. Because I could not explain the full status of my case to Mr. Fletcher, the plan was to
19 substitute myself *In Pro Per* and ask the court to allow Mr. Fletcher to substitute in as counsel,
20 allow an amended complaint to be filed, and to re-open discovery.

22 5. After I concluded my meeting with Mr. Fletcher, I went to Mr. Buery's office to
23 obtain my file and to sign a substitution of attorney. Mr. Buery refused to substitute out of the
24 case and refused to give me my file or a copy of my file. He was totally uncooperative. I also
25 sought the return of my \$2,500, but he said that he was too busy to pay me at that time.

